

Sterne Kessler Goldstein Fox

ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbalia
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugalsky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Crystal D. Sayles
Edward W. Yee
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Molly A. McCall
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Albert J. Fasulo II*
Eldora Ellison Floyd
W. Russell Swindell

Thomas J. Fiala
Brian J. DeBuono
Virgil Lee Beaston*
Reginald D. Lucas*
Kimberly N. Reddick
Theodore A. Wood
Elizabeth J. Haanes
Bruce E. Chalker
Joseph S. Ostroff
Frank R. Cunningham*
Christine M. Lhuillier
Rae Lynn Prengaman*
Jane Shershenovich*
Lawrence J. Carroll*
George S. Bardmesser

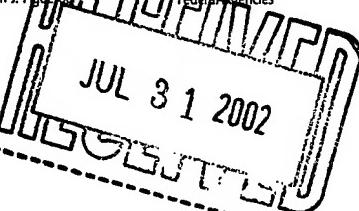
Registered Patent Agents*
Karen R. Markowicz
Andrea J. Kamage
Nancy J. Leith
Joseph M. Conrad III
Ann E. Summerfield
Helena C. Carlson
Gaby L. Longsworth
Matthew J. Dowd
Aaron L. Schwartz
Angeline G. Uy
Boris A. Matvenko
Mary B. Tung
Katrina Y. Pei
Bryan L. Shelton
Jason D. Eisenberg
John J. Figueredo

Senior Counsel
Samuel L. Fox
Kenneth C. Bass III
Lisa A. Dunner

3
BT
8-1-02

*Admitted only in Maryland
*Admitted only in Virginia
*Admitted only in Texas
Practice Limited to
Federal Agencies

July 24, 2002



WRITER'S DIRECT NUMBER:
(202) 218-7822
INTERNET ADDRESS:
eyee@skgf.com

Commissioner for Patents
Washington, D.C. 20231

Art Unit 1723

Re: U.S. Utility Patent Application
Appl. No. 10/084,089; Filed: February 28, 2002
For: **Automated Liquid Manufacturing System**
Inventors: Kubiak *et al.*
Our Ref: 0942.2840003

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. List of cited references on Form PTO-1449; and
3. One (1) Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.



Commissioner for Patents
July 24, 2002
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,
or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Edward W. Yee
Attorney for Applicants
Registration No. 47,294

Enclosures

::ODMA\MHODMA\SKGF_DC1;37997;1
SKGF Rev. 2/15/02 dcw



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kubiak *et al.*

Appl. No. 10/084,089

Filed: February 28, 2002

For: **Automated Liquid Manufacturing System**

Confirmation No. 8471

Art Unit: 1723

Examiner: *To be assigned*

Atty. Docket: 0942.2840003

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

RECEIVED
JUL 29 2002
TC 1700

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- c. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
 - a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- 4. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- 5. A concise explanation of the relevance of the non-English language document(s) appears below:
- 6. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/790,623, filed February 23, 2001, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Edward W. Yee

Edward W. Yee
Attorney for Applicants
Registration No. 47,294

Date: July 24, 2002

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

::ODMA\MHODMA\SKGF_DC1;37938;1
SKGF Rev. 1/24/02 mac



FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 0942-2840003	APPLICATION NO. 10/084,089
		APPLICANT <i>Kubiak et al.</i>	
		FILING DATE February 28, 2002	GROUP 1723

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AA1	2,307,509	01/1943	Joachim et al.	259	4	
AB1	3,692,283	09/1972	Sauer et al.	259	24	
AC1	3,779,518	12/1973	Koepke et al.	259	18	
AD1	4,019,983	04/1977	Mandt	210	62	
AE1	4,051,065	09/1977	Venema	252	359	
AF1	4,212,545	07/1980	Lovasz et al.	366	152	
AG1	4,332,483	06/1982	Hope et al.	366	132	
AH1	4,474,476	10/1984	Thomsen	366	152	
AI1	4,549,813	10/1985	Volz et al.	366	160	
AJ1	4,737,349	04/1988	Arnold et al.	422	226	
AK1	4,869,595	09/1989	Lang	366	137	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL1	0 473 356 A1	03/1992	EP	B01F	5/10	Yes No
AM1	2 116 058 A	09/1983	UK	B01F	3/08	Yes No
AN1	42 00 720 A1	07/1993	DE	B01F	3/08	Yes No
AO1						Yes No
AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	Roth, Georg et al., "An Automated System to Produce Cell Culture Media from Liquid Medium Concentrates," BioPharm, Vol. 8, No. 9, November 1995, pp. 31-35.
AS	1	Jayme, David W. et al., "Use of Liquid Medium Concentrates to Enhance Biological Productivity," Kluwer Academic Publishers, Animal Cell Technology: Basic & Applied Aspects, Vol. 5, 1993, pp. 215-222.
AT	1	Jayme, David W. et al., "High Capacity Method for Producing Nutrient Medium from Concentrated Intermediates for Cell Culture Bioproduction Applications," Kluwer Academic Publishers, Animal Cell Technology: Basic & Applied Aspects, Vol. 8, 1997, pp. 599-604.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. 0942.2840003	APPLICATION NO. 10/084,089
		APPLICANT Kubiak et al.	
		FILING DATE February 28, 2002	GROUP 1723

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AA2		5,205,647	04/1993	Ricciardi	366	176	
AB2		5,324,109	06/1994	Johari	366	151	
AC2		5,331,364	07/1994	Borden	354	324	
AD2		5,474,931	12/1995	DiSorbo et al.	435	240.31	
AE2		5,641,410	06/1997	Peltzer	210	739	
AF2							
AG2							
AH2							
AI2							
AJ2							
AK2							

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	A02						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	2	Jayme, David W. et al., "Continuous High Capacity Reconstitution of Nutrient Media from Concentrated Intermediates," Kluwer Academic Publishers, Cytotechnology, Vol. 22, 1996, pp. 255-261.
AS	2	Jayme, David W. et al., "Use of Medium Concentrates to Improve Bioreactor Productivity," Kluwer Academic Publishers, Animal Cell Technology: Basic & Applied Aspects, Proceedings of the Fourth Annual Meeting of the Japanese Association for Animal Cell Technology, Fukuoka, Japan, 13-15 November, 1991, 1992, pp. 143-148.
AT	2	Copy of International Search Report, issued September 10, 1998, Application No. PCT/US98/10112, 8 pages.

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.